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**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
(Optional)
(Z) 00052PUS

First Named Inventor: Peter Gnauck

International (PCT) Application No.: PCT/EP01/07431

U.S. Application No.: 10/338,282
(if known)

Filed: 29 June 2001

Title: Detector for Varying Pressure Ranges, and Electron Microscope with a
Corresponding Detector

Attention: PCT Legal Staff

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee
☐ Small entity- fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.

07/29/2004 MAILING 00000001 10500951

05 FC:1453

☒ Other than small entity - fee \$ 1,330.00 (37 CFR 1.17(m))

01/08/2004 SHAJHKKU 00000126 10338282

06 FC:1453

1330.00 OP

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
- The national fee - \$ 1,080 (identify type of reply):

* Fees paid and reply submitted in addition to national fee set forth
in the attachment to this Petition.

☐ has been filed previously on _____

☒ is enclosed herewith. * Attachment to this Petition is set forth in the
Form PTO-1390 Transmittal Letter dated December 30, 2003

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on this collection of information should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Adjustment date: 07/29/2004, 10/10/2004
01/08/2004, 01/08/2004, 01/08/2004
05 FC:8021

3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

December 30, 2003

Date



Signature

(505) 323-0771

Telephone Number

M. Robert Kestenbaum

Typed or Printed Name

Reg. No. 20,430

Registration Number, if applicable

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Address

Albuquerque, NM, USA 87111

Address

Enclosures: ☒ Response

☒ Fee Payment

☐ Terminal Disclaimer N/A

☐ _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Entry Into National Stage for PCT/EP01/07431
Claiming priority of German Patent Applications 100 32 599.8 filed July 7, 2000
and 101 26 698.7 filed May 31, 2001 when Petition to Revive PCT/EP01/07431 is
granted
Applicants: Peter GNAUCK et al.
US Patent Application 10/338,282
Attorney Docket (Z) 00052 P US

Mail Stop PCT Legal
PO Box 1450
Commissioner for Patents
Alexandria, Va. 22313-1450

**Statement Regarding Unintentional Abandonment (Attachment A to the Petition to
Revive for Unintentional Abandonment)**

Dear Sir or Madam:

Applicant filed a Continuation Application in the USPTO for this case on January 7, 2003, paying the basic Filing Fee, and noting that the International Bureau had communicated the text of the application. Applicant's attorney telephoned the USPTO and learned that the application had received US Serial Number 10/338,282, and a Notice to File Missing Parts would be forthcoming. Consequently, it was believed that the Continuation Application was in good condition and the copendency of the priority applications had been preserved. It was never intended that PCT/EP01/07431 become abandoned without filing in the United States and it was intended that copendency with PCT/EP01/07431 be preserved.

A Notice of Incomplete Filing was mailed on June 20, 2003 (rather than a Notice to File Missing Parts) noting that the application had not yet received a filing date. Applicant would have immediately filed this Petition to Revive the Unintentionally Abandoned PCT Application at the time he learned there was a problem with

copendency. However, the Notice of Incomplete Filing was received at the time that a serious medical situation arose and continued to be a major problem for Applicant's attorney and his wife, who is the Office Manager for this office. The entire period of abandonment was unintentional.

A Petition to Revive the Unintentionally Abandoned PCT Application is therefore submitted herewith, with the appropriate reply: payment of the basic fee for entering the National Stage, an executed Inventors' Declaration with payment of the Declaration Surcharge, a Certified English translation with payment of the Late Filing of English Translation Fee, a Substitute Specification, Marked-Up Specification noting the changes to the Certified English translation, and a Preliminary Amendment removing multiple dependencies and conforming the specification and claims to US style and practice. It is respectfully requested that this Petition to Revive PCT/EP01/07431 be granted.

Thank you in advance for considering and granting the Petition to Revive for Unintentional Abandonment included herewith, and for accepting this application for entry into National Stage and for examination.

Respectfully submitted,



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I hereby certify this correspondence is being submitted to the US Postal Service as Express Mail in an envelope with sufficient postage addressed to Mail Stop PCT Legal, PO Box 1450, Commissioner for Patents, Alexandria, Va. 22313-1450 on December 30, 2003. (Express Mail Label ER 445923598US)



M. Robert Kestenbaum